

Message Text

UNCLASSIFIED

PAGE 01 CAPE T 01149 291524Z

ACTION AF-10

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-05 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02

SS-15 USIA-15 DHA-02 /084 W

-----004135 292057Z /63

R 291435Z JUL 77

FM AMCONSUL CAPE TOWN

TO SECSTATE WASHDC 6351

INFO AMCONSUL DURBAN

USMISSION GENEVA

AMCONSUL JOHANNESBURG

AMEMBASSY PRETORIA

USUN NEW YORK 1502

UNCLAS CAPE TOWN 1149

E.O.11652:N/A

TAGS: PINS, PINT, SHUM, SF

SUB: CHURCHMEN CONVICTED FOR PRODUCING "UNDESIRABLE" DOCUMENTS

REF: CAPE TOWN 0926

SUMMARY: CAPE TOWN REGIONAL COURT CONVICTED FOUR CHURCHMEN AND A SECRETARY JULY 29 ON CHARGES ARISING OUT OF PUBLICATION OF TWO DOCUMENTS FOUND TO BE "UNDESIRABLE" IN TERMS OF THE PUBLICATIONS ACT. ALL WERE FINED AND THE PRIESTS WERE GIVEN SUSPENDED JAIL TERMS. AN APPEAL IS LIKELY. END SUMMARY.

1. REFTEL REPORTED TRIAL IN CAPE TOWN REGIONAL COURT OF FOUR PRIESTS AND A SECRETARY IN CONNECTION WITH PUBLICATION OF TWO PAMPHLETS LATER DECLARED "UNDESIRABLE" BY A PUBLICATIONS COMMITTEE. IN DECISION HANDED DOWN TODAY (JULY 29) COURT CONVICTED ANGLICAN SUFFRAGAN BISHOP PATRICK MATOLENGWE, ANGLICAN PRIESTS DAVID RUSSELL AND MOSES MOLETSANE AND ROMAN CATHOLIC PRIEST RICHARD O'RIORDAN ON UNCLASSIFIED

UNCLASSIFIED

PAGE 02 CAPE T 01149 291524Z

CHARGE OF PRODUCING "UNDESIRABLE" PUBLICATIONS AND SENTENCED EACH TO FINE OF R200 (R1 EQUALS \$1.15) OR 50 DAYS PLUS 90 DAYS IN JAIL SUSPENDED FOR THREE YEARS. RUSSELL ALSO CONVICTED ON TWO OTHER COUNTS (POSSESSION AND DISTRIBUTION) AND FINED AN ADDITIONAL R150 OR 50 DAYS PLUS 90 DAYS SUSPENDED FOR 3 YEARS. RUSSELL'S TOTAL SENTENCE WAS THUS R350 OR 100 DAYS PLUS 180 DAYS

SUSPENDED. RUSSELL'S SECRETARY, MRS. DOROTHY CLEMINSHAW,
WAS FOUND GUILTY ON CHARGE OF DISTRIBUTION OF
UNDESIRABLE DOCUMENTS AND SENTENCED TO R100 OR 50 DAYS.

2. WHILE NO FINAL DECISION REACHED, IT LIKELY THAT
COURT'S RULING WILL BE APPEALED TO CAPE SUPREME COURT.
COMMENTS ON LEGAL IMPLICATIONS OF COURT'S RULING, WHICH
ATTORNEYS CONSIDER FAR-REACHING, TO BE REPORTED BY
AIRGRAM

WHITE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, CLERGYMEN, CHURCH STATE RELATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977CAPET01149
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770273-0072
Format: TEL
From: CAPE TOWN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977076/aaaaaemv.tel
Line Count: 73
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 0035d76b-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 CAPE TOWN 926
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 17-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1868427
Secure: OPEN
Status: NATIVE
Subject: CHURCHMEN CONVICTED FOR PRODUCING \"UNDESIRABLE\" DOCUMENTS
TAGS: PINS, PINT, SHUM, SF
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0035d76b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009